



smith & hopen, p.a.

15950 Bay Vista Drive, Suite 220
Clearwater, Florida 33760
727.507.8558 Tel
727.507.8668 Fax
www.baypatents.com

**RECEIVED
CENTRAL FAX CENTER**

JAN 11 2006

Fax INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Ernest G. Therkorn, Art Unit 1723	Client:	1372.204.PRCWOUS
Fax:	(571) 273-8300	Pages:	4 including coversheet
Phone:	(571)-272-1149	Date:	January 11, 2006
Re:	USSN: 10/716, 310	CC:	University of South Florida (Assignee)

Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Therkorn:

In response to the non-final office action mailed December 12, 2005, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 11, 2006 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,

Thomas E. Toner
Reg. No. 57, 422

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

JAN 11 2006

Practitioner's Docket No. 1372.204.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Abdul Malik)
))
Serial No.: 10/716,310) Art Unit: 1723
)	Examiner: Ernest G. Therkorn
Filed: 11/18/2003) Confirmation: 7300
))
For: Sol-Gel Dendron Separation and Extraction Capillary Column)
))

Faxed to Central Fax at (571) 273-8300
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

SIGNATURE OF PRACTITIONER

Thomas E. Toner
 Smith & Hopen, P.A.
 15950 Bay Vista Drive, Ste. 220
 Clearwater, FL 33760
 (727) 507-8558

Reg. No.: 57,422
 Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1723, Attn: Ernest G. Therkorn, (571) 273-8300 on January 11, 2006.

Dated: January 11, 2006

April Turley
 April Turley

(Restriction Requirement – Transmittal)

**RECEIVED
CENTRAL FAX CENTER**

JAN 11 2006

Practitioner's Docket No.: 1372.204.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Abdul Malik)	
)	
Serial No.: 10/716,310)	Art Unit: 1723
)	Examiner: Ernest G. Therkorn
Filed: 11/18/2003)	Confirmation: 7300
)	
For: Sol-Gel Dendron Separation and Extraction)	
Capillary Column)	

Faxed to Central Fax at (571) 273-8300
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir or Madam:

Applicant responds to the nonfinal Examiner's action mailed December 12, 2005, having a shortened statutory period for response set to expire January 12, 2006 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute Group I claims 1/10, 18-25 and 28-29, drawn to a capillary column. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN

By: 

Thomas E. Toner
 Reg. No. 57,422
 Suite 220
 15950 Bay Vista Drive
 Clearwater, FL 33760
 (727) 507-8558
 Attorneys for Applicant

Dated: January 11, 2006

pc: University of South Florida (Assignee)

(Restriction Requirement Reply - Page 1 of 2)